

(Applause.)

THE CHAIRMAN: Delegate Schneider.

DELEGATE SCHNEIDER: I rise also on a point of personal privilege.

I would like the Convention to welcome in the rear balcony the Chairman of the Republican State Central Committee for Prince George's County, Mrs. Myrt Wilson; the Chairman of the Board of Election Supervisors of Prince George's County, Robert Woodside; and Martin Anderson, also a good Republican of Prince George's County.

(Applause.)

THE CHAIRMAN: Delegate Dukes.

DELEGATE DUKES: Mr. Chairman, I just want to ask Mr. Schneider if Baby Jane Sawyer is also in the gallery.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Mr. Chairman, I rise to a point of personal privilege. I regret I did not rise sooner. But I would like to record among the records of our deliberation that present in the gallery for approximately three hours this morning and a portion of this afternoon was one of the first ladies of the Eastern Shore. She is likewise the sister of one of its ablest judges, Judge De Weese Carter. The lady was his sister, as I said, Mrs. Ella Carter.

I wish we would recognize her, even though now in absentia.

(Applause.)

THE CHAIRMAN: Amendment No. 3 is submitted by Delegate Bamberger. Is there a second?

(Whereupon, the amendment was duly seconded.)

THE CHAIRMAN: Delegate Byrnes seconds.

The Chair recognizes Delegate Bamberger to speak to the amendment.

DELEGATE BAMBERGER: The purpose of the amendment is to carry out what I understand from the debate of the Committee Chairman this morning was the intention of the Committee. The language in section 6.07, lines 18 to 20 which prohibit a decrease in the compensation of a public officer during his term of office are, according to the Committee Memorandum SF-5, intended to replace comparable language in section 35 of Article III of the

Constitution. But that language in the present Constitution applied not just to officers of the State, or not only to officers whose compensation was provided in the state budget, but applied to state's attorneys, county commissioners, to the mayor, to the comptroller, and to the president of the city council of the City of Baltimore.

The Court of Appeals construed that language in a case decided in 1956, *Pressman v. D'Alesandro*, to say it was applicable not only to offices which were created by the constitution, but also to offices created by the legislature.

I understand from the statements of the Chairman of the Committee and the Vice-Chairman of the Committee this morning that the intention was to make this language only applicable to the compensation of officers where that compensation is provided in the state budget.

The purpose of the amendment is solely to make that clear and to make it certain that we do not intend that this language would have as broad a sweep as it has in the present Constitution.

THE CHAIRMAN: Are there any questions of the sponsor of the amendment for clarification?

Delegate Sherbow.

DELEGATE SHERBOW: Really, it is a matter which might end the debate, if I and permitted to make a few brief statements.

THE CHAIRMAN: Let us see if there are questions first.

Are there any questions of the sponsors?

Delegate Bamberger, the Chair has a question. I was not present during the discussion this morning, but I am puzzled as to the intent of this. The sentence as amended would read, "Compensation of a public officer provided for in the state budget may not be decreased during his term of office."

Does this mean that, for instance, in the case of a public officer whose compensation by law is stated to be such amount as is provided in the budget, that once it is provided in a budget this has the effect of fixing his compensation by law, and it could never thereafter be decreased? Is that the meaning of the phrase, or do you mean it is limited to the particular budget under consideration?

DELEGATE BAMBERGER: I would intend that it would be limited only to the